

10/030481

531 Rec'd PCT 09 JAN 2002

PATENT

Attorney Docket No. 08130.0076

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Guy Marck et al. ) Group Art Unit: Unassigned  
Application No.: Unassigned ) Examiner: Unassigned  
Int'l. Filing Date: July 17, 2000 )

For: COMPOUND, being a National Stage filing of PCT International Application No.  
PCT/EP00/06788, filed on July 17, 2000

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**Information Disclosure Statement Under 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed together with this application.

Copies of the listed documents are attached.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

The following applies to the non-English language documents.

1. **EP 0 611 786:** This document is believed to be a counterpart of U.S. Patent Nos. 5,539,074, 5,602,661 and RE 36625, copies of which are enclosed. This document is also discussed at page 2, lines 17-19 of the present application.

2. **EP 0 763 552:** This document is believed to be a counterpart of U.S. Patent No. 6,107,427, a copy of which is enclosed. This document is also discussed at page 2, lines 17-19 of the present application.

3. **EP 0 755 918:** This document is believed to be a counterpart of U.S. Patent No. 5,800,733, a copy of which is enclosed.

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4. WO 91/16295: This document is believed to be a counterpart of U.S. Patent No. 5,326,495, a copy of which is enclosed. This document also contains an English language abstract.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: January 7, 2002

By:

  
Steven J. Scott  
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